

STATE OF SOUTH CAROLINA

(Caption of Case)

Example: Application for a Class C Charter Certificate from
John Doe dba Doe's Limo

Yellow Cab Co. of Greenville, Inc.

Complainant/Petitioner

v.

American VIP Cab

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

TRANSPORTATION COVER SHEET

DOCKET

NUMBER: 2009 - 355 - T

If this is your first time filing an application with the PSC, you will not have a Docket Number. The Commission will assign one to you. If you have filed with the Commission before, a Docket Number was assigned and should be entered above.

(Please type or print)

Submitted by: Dallas D. Ball

Telephone: (803) 794-8608

Address: P.O. Box 419

Fax: _____

Ballentine, S.C. 29002

Other: _____

Email: _____

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

NATURE OF ACTION (Check all that apply)

- | | |
|---|--|
| <input type="checkbox"/> Application – Class C Taxi | <input type="checkbox"/> Request to Amend Scope of Authority |
| <input type="checkbox"/> Application – Class C Charter | <input type="checkbox"/> Request to Amend Tariff (rate increase, etc.) |
| <input type="checkbox"/> Application – Class C Charter Bus | <input type="checkbox"/> Request to Amend Passenger Limit |
| <input type="checkbox"/> Application – Class C Non-Emergency | <input type="checkbox"/> Request |
| <input type="checkbox"/> Application – Class E Household Goods | <input type="checkbox"/> Exhibit |
| <input type="checkbox"/> Application – Class E Hazardous Waste | <input type="checkbox"/> Late-Filed Exhibit |
| <input type="checkbox"/> Application | <input type="checkbox"/> Letter |
| <input type="checkbox"/> Request for Extension to Comply with Order | <input type="checkbox"/> Proposed Order |
| <input type="checkbox"/> Request for Order Granting Authority to Obtain Certificate of Public Convenience and Necessity to Be Rescinded | <input type="checkbox"/> Publisher's Affidavit |
| <input type="checkbox"/> Request for Cancellation of Certificate | <input type="checkbox"/> Reservation Letter |
| <input type="checkbox"/> Request for Suspension | <input type="checkbox"/> Response |
| <input type="checkbox"/> Request for Reinstatement | <input type="checkbox"/> Return to Petition |
| <input type="checkbox"/> Request for Name Change on Certificate | <input checked="" type="checkbox"/> Other: <u>Motion for Default</u> |

If you have any questions about this form, please contact the PUBLIC SERVICE COMMISSION at 803-896-5100.

DALLAS D. BALL, P.C.

ATTORNEY AT LAW

Mailing Address:
PO Box 419
Ballentine, SC 29002

Office: 803-794-8608
Facsimile: 803-407-2357
dallas@sctrial.com
www.sctrial.com

Street Address:
690-C Columbiana Dr.
Suite 200
Columbia, SC 29212

October 21, 2009

Charles L.A. Terreni
S.C. Public Service Commission
Synergy Business Park
101 Executive Center Drive
Columbia, S.C. 29210

RE: Yellow Cab Co., of Greenville, Inc. v. American VIP Cab
Docket Number 2009-355-T

Dear Mr. Terreni:

Enclosed for filing, please find Yellow Cab Co., of Greenville Inc.'s, Motion for Default for Failure to Answer. By copy of this letter and certificate of service a copy of the documents are being served on all parties of record.

Thank you for your assistance in this matter.

Sincerely,



Carl D. Brewer
Paralegal to Dallas D. Ball

DDB/cb
Enclosure
cc: parties of record

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2009-355-T

Yellow Cab Co. of Greenville, Inc,)	
)	
Complainant/Petitioner,)	
)	
vs.)	<u>Motion for Default Judgment</u>
)	<u>For Failure to Answer</u>
American VIP Cab,)	
)	
Defendant)	
_____)	

Complainant, pursuant to 26 S.C. Code Ann. Regs. § 103-840 and Rule 55 of the South Carolina Rules of Civil Procedure files this Motion for Default Judgment based upon Defendant's failure to answer. In support of its motion Complainant provides as follows.

1. Petitioner Yellow Cab Company of Greenville is a corporation organized and existing pursuant to the laws of the State of South Carolina and is a Class C Taxi Certificate Holder authorized to conduct Class C Taxi operations by the South Carolina Public Service Commission ("Commission").

2. That the Commission has jurisdiction over the matters contained herein.

3. American VIP Cab LLC is authorized to conduct Class C Taxi operations by the Commission and operates taxis in Richland and Lexington counties subject to regulation and oversight by the Commission.

4. On August 20, 2009 Complainant file a Petition for Rule to Show Cause why Defendant's should not have their certificates revoked.

5. On August 27, 2009, the Commission issued a thirty day notice instructing Defendants to file an Answer to Complainant's petition and to serve a copy of such answer on the Public Service Commission of South Carolina, The Office of Regulatory Staff, and John S. Bacot of Yellow Cab Co. of Greenville, Inc. The thirty day notice advised Defendants that if an Answer was not filed within thirty days of receipt of the Petition, the Petitioner may apply to the Commission for the relief demanded in the Petition.

6. 26 S.C. Code Ann. Regs. § 103-840 A (2) provides that if the Defendant fails to timely file it's answer, unless an extension is granted, the Defendant is deemed in default and all relevant facts stated in the petition may be deemed admitted.

WHEREFORE, Complaint asks the Commission to Issue an Order finding that the Defendants are in Default in this matter and grant the relief requested in Complainant's petition to include revocation of their certificates.

DALLAS D. BALL, P.C.

BY:


DALLAS D. BALL.

Post Office Box 419

Ballentine, South Carolina 29002

(803) 794-8608

ATTORNEY FOR COMPLAINANTS

Ballentine, S.C.

Dated: 21 OCT 09

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2009-355-T

Yellow Cab Co, of Greenville Inc,)	
)	
Complainant/Petitioner,)	
)	<u>CERTIFICATE OF</u>
vs.)	<u>SERVICE</u>
)	
American VIP Cab Co,)	
)	
Defendants)	
_____)	

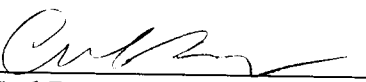
I, Carl D. Brewer, Paralegal to Dallas D. Ball, P.C., certify that I deposited the document(s) listed below and addressed as set forth below, in the United States Mail with first class postage affixed thereto this 22nd day of October, 2009.

Documents: Motion for Default

Mailed to:

American VIP Cab Co
Attn Benouigs Aliderif
108 Inview Road, Suite 100
West Columbia, S.C. 29169

Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, South Carolina 29201



Carl D. Brewer, Paralegal